



Attorney Docket No. OPHD-06331

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: John A. Kink *et al.*

Serial No.: 09/832,233

Group No.: 1617

Filed: 04/10/01

Examiner: Sharareh, S.

Entitled: Prevention and Treatment of Necrotizing Enterocolitis

**Notice of Appeal from the Primary Examiner  
to the Board of Patent Appeals and Interferences**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

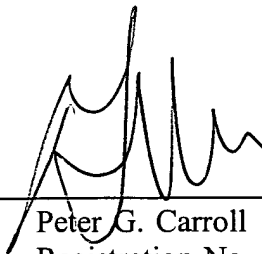
<p align="center"><b>CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)</b></p> <p>I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p>Dated: <u>September 30, 2004</u></p> <p>By: <u>Traci E. Light</u></p>
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Sir or Madam:

Enclosed please find a Notice of Appeal to the Board of Appeals and Interferences and a check in the amount of **\$320.00** pursuant to 37 CFR § 1.17(e) to cover the fee for filing.

The Commissioner is authorized to charge any additional fee or credit any overpayment to our Deposit Account No. **08-1290**. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Dated: September 30, 2004

  
Peter G. Carroll  
Registration No. 32,837

10/06/2004 MMEKONEN 00000026 081290 09832233

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EXAMINER TO THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Assistant Commissioner for Patents  
Washington, D.C. 20231

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Dated: <u>September 30, 2004</u>	By:  Traci E. Light

Sir or Madam:

Applicants hereby Appeal to the Board of Appeals and Interferences from the decision of the Primary Examiner's Final Office Action dated July 01, 2004 in which Claims 1-5 and 7-14 were rejected. This application is on behalf of a Large Entity, with an assignment to Promega Corporation on July 3, 2001. Please find a check in the amount of **\$320.00** pursuant to 37 CFR § 1.17(e) to cover the fee for filing.

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